

## **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action dated October 5, 2005. Claims 1-12 are pending in the present application. Claims 4-9 and 11-12 have been rejected. Accordingly, claims 1-12 remain pending. For the reasons set forth more fully below, Applicants respectfully submit that the claims as presented are allowable. Consequently, reconsideration, allowance, and passage to issue are respectfully requested.

### **Double Patenting/Terminal Disclaimer**

The Examiner has stated:

**Claims 4-9 and 11-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent No. 6,398,436. Although the conflicting claims are not identical, they are not patentably distinct from each other because absorbent hydrogel-form is disclosed in both.**

In response, Applicants file a terminal disclaimer. Accordingly, with this terminal disclaimer claims 4-9 and 11-12 are now in allowable form.

### **Specification**

The Examiner has stated:

**The disclosure is objected to because of the following informalities: Page 7, line 10 of the current specification refers to "The '133 patent." Please provide a copy in your next response.**

In response, applicants have attached a copy of the '133 patent. Applicants note that the '133 patent is the same as U.S. Patent Number 6,398,436. The "133" refers to the last three digits of the Attorney Docket No. RPS9-1999-0133. Applicants apologize for any inconvenience to the Examiner as a result of this error.

To clarify the specification, applicants have amended the specification to replace the phrase "the '133 patent application" with the phrase "U.S. Patent Number 6,398,436," in the paragraphs beginning on page 7, line 6, and on page 9, line 3. Also, applicants have amended the specification to replace the phrase "U.S. patent application serial no. 09/547,504 filed April 12, 2000" with the phrase "U.S. Patent Number 6,398,436," in the paragraph beginning on page 5, line 1.

Conclusion

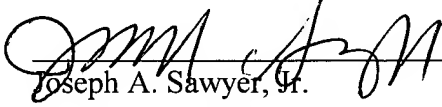
In view of the foregoing, Applicants submit that claims 1-12 are patentable over the cited reference. Applicants, therefore, respectfully request reconsideration and allowance of the claims as now presented.

Applicants' attorney believes that this application is in condition for allowance. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

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Date

  
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